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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,818	02/28/2002	Bob Janssen	DVME-1019US	1572

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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT PAPER NUMBER

2195

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/086,818

Applicant(s)

JANSSEN, BOB

Examiner

Lewis A. Bullock, Jr.

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The cited claims detail a computer program having routines / instructions for implementing the invention. As detail in the M.P.E.P. 2106, software embodied in no tangible structure does not constitute statutory subject matter.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4, 7, 8, 12-14, 16-18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by REGNIER (U.S. Patent 5,689,708).

As to claim 1, REGNIER teaches a method of administering user access to application programs (applications) on a computer system, comprising providing a user database (tables / database of user profiles), a database of tasks (tables / database of applications) and a user-specific list of allowed tasks (menu of tasks), comprising

allowed application programs (enabled applications), configuring the list of allowed tasks on the basis of the user database and the database of tasks (col. 3, lines 22-36; col. 4, lines 65-67; col. 5, lines 2-6; col. 5, lines 44-60; col. 6, lines 35-48), detecting a command to execute a task (user selection of an application) (col. 6, lines 49-67; col. 7, lines 1-16), and preventing execution of tasks that are not on the list of allowed tasks (col. 7, lines 1-15).

As to claim 2, REGNIER teaches the list of allowed tasks (menu items) is configured at least once every time a user has entered a request to log on to the computer system (col. 10, lines 25-40).

As to claim 4, REGNIER teaches the database of tasks comprises information linking tasks (applications) to other tasks (other functions, i.e. printing functions, interactive mode functions, applications, etc) that can invoke the tasks during execution of an application program (via selection of a menu item from the database of tasks and requires another selection of task mode) (col. 8, lines 32-51; col. 9, lines 45-62).

As to claim 7, REGNIER teaches a plurality of user groups are defined (group of users), a group membership list is provided with the user database for each user (set of profiles may constitute an ordinary table in this database and lists a user or predefined group of users) (col. 8, lines 8-20), links are provided between the tasks in the database of tasks and the groups, and the links and the group membership lists are used to

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configure the list of allowed tasks (menu list) (col. 8, lines 8-41; col. 6, line 49 – col. 7, line 15).

As to claim 8, REGNIER teaches a plurality of user functions (applications) are defined, a user function list is provided with the user database for each user (list of functions allowed or not allowed), links are provided between the tasks in the database of tasks and the user functions (via the set of profiles consulting the processing of the application to determine if it can function) (col. 8, lines 8-20; col. 7, lines 16-41; col. 3, lines 26-32), and the links and the user function list are used to configure the list of allowed tasks (menu list) (col. 8, lines 8-41; col. 6, line 49 – col. 7, line 15; col. 3, lines 32-36).

As to claims 12-14 and 16, reference is made to a computer system that corresponds to the method of claims 1, 2, 4 and 7 and therefore is rejected based on the rejection of claims 1, 2, 4, and 7 as listed above.

As to claims 17, 18 and 20, reference is made to a computer program that corresponds to the method of claims 1, 2 and 7 and is therefore met by the rejection of claims 1, 2 and 7 as listed above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 5, 9-11, 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over REGNIER (U.S. Patent 5,689,708).

As to claim 3, REGNIER teaches the tasks comprises information specifying time intervals (off-peak hours / other conditions) in which a task may be executed comprising configuring the list of allowed tasks on the basis of this information (col. 8, lines 42-61; col. 8, line 65 – col. 9, line 13). However, REGNIER does not teach that the use of a system clock which indicates the time for accessing the applications. Official Notice is taken in that it is well known in the art that in order to determine if off-peak hours have been reached the current time would have to be known. Therefore, it would be obvious to one skilled in the art at the time of the invention to have and use a system clock in order to know if the application can be accessed because it is off-peak hours. U.S. Patent 6,401,238 would be an example of this well known functionality.

As to claims 5, 10, and 11, REGNIER teaches preventing tasks from executing (via graying / diming / removing out the task from the menu list) during certain time periods (col. 7, lines 5-15; col. 9, lines 7-20). REGNIER also teaches that it is possible to run routine 600, which enables for the dynamic updating of menu choices, during execution of the application program, so that menu choices could vary even during a

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single execution of an application (col. 10, lines 25-40; col. 9, line 63 – col. 10, line 25).

Therefore, it would be obvious to one skilled in the art at the time of the invention that a user calls applications that are not on the list such that they are allowed to execute and are subsequently placed on the list dynamically as defined in REGNIER.

As to claim 9, REGNIER teaches prevention of the execution of the application program or task is registered (col. 3, lines 25-32). However, REGNIER does not teach that a notification is sent to a system administrator. Official Notice is taken in that it is well known in the art at the time of the invention in a monitored or controlled system, inadvertent accesses or errors are typically sent to a system administrator. Therefore, it would be obvious to one skilled in the art at the time of the invention to combine well known sending of notifications to an administrator to the teachings of REGNIER in order to actively monitor a computer system.

As to claim 15, reference is made to a computer system that corresponds to the method of claim 5 and therefore is rejected based on the rejection of claim 5 as listed above.

As to claim 19, reference is made to a computer program that corresponds to the method of claim 5 and is therefore met by the rejection of claim 5 as listed above.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over REGNIER (U.S. Patent 5,689,708) in view of SALMIMAA (U.S. Patent 6,668,177).

As to claim 6, REGNIER teaches the computer system is a distributed computer system (client / server network) comprising a plurality of computer terminals (clients and servers) connected to a network (col. 4, lines 3-52) wherein the client systems are any type of computing device registered with another device and capable of displaying a list of allowed tasks. However, REGNIER does not teach that the applications comprise location-dependent information such that the user is configured with a list of allowed tasks on the basis of the location-dependent information and the registered terminal

SALMIMAA teaches that a computer device that displays received data (icons) that correspond to applications wherein the display is based on location-dependent information such that the user is configured with a list of allowed tasks (via the displaying of permitted icons) on the basis of the location-dependent information (col. 2, lines 15-28). It would be obvious to one skilled in the art at the time of the invention that the combination allows certain applications to be displayed based on the user's current location, i.e. that the applications are enabled based on the user's location. Therefore, it would be obvious to one skilled in the art to combine the teachings of REGNIER with the teachings of SALMIMAA in order to facilitate a technique that allows the user to control the criteria that determines how each icon is displayed (col. 3, lines 5-10).

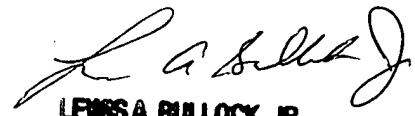
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 29, 2005


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER